

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Brian Elliott Fulton, Jr.,)	Civil Action No.: 8:10-cv-01820-RBH
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Dwayne Wilson, Curtis Brown, Hettie)	
Smalls, Thomas Rives,)	
)	
Defendants.)	
_____)	

This matter is before the court with the [Docket Entry 9] Report and Recommendation of United States Magistrate Judge Bruce H. Hendricks and Plaintiff's [Docket Entry 12] Motion to Dismiss Complaint.

In her Report, the Magistrate Judge recommended that Plaintiff's complaint should be dismissed *without prejudice* and without issuance and service of process. Report at 5. The Report was entered on July 27, 2010. Thereafter, Plaintiff filed his Motion to Dismiss, in which he asks the court to "drop such claims against the Williamsburg County Detention Center." Plaintiff further stated that he "highly regret[ed]" and "truely [sic] apologize[d]" for the filing of those claims. Motion. Upon review of the Motion to Dismiss, it appears that Plaintiff agrees with, and consents to, the Magistrate Judge's recommendation that his complaint should be dismissed. Plaintiff has not otherwise objected to the Magistrate Judge's Report and the time for filing any such objections has since run.

Based on the foregoing, the court hereby adopts and incorporates by reference the Report and Recommendation of the Magistrate Judge. Accordingly, Plaintiff's complaint in the above-captioned case is hereby **DISMISSED** *without prejudice* and without issuance and service of

process.

IT IS SO ORDERED.

s/R. Bryan Harwell
R. Bryan Harwell
United States District Judge

Florence, South Carolina
August 24, 2010